IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO : 19570 of 1997

Between:

Ch.Seshu Babu S/o.Late Venkata Subba Rao
R/o.Ricepeta, Post & Mandal Cherla,
Khammam, Khammam District.

... PETITIONER

AND

1. Superintending Engineer Irrigation and Command Area Development Warangal.
2. Chief Executive Engineer Public Health Department Hyderabad.
3. The Superintending Engineer Panchayat Raj Department Khammam District (dismissed for default as per court order dt.02-08-2000)
4. The Superintending Engineer R&B., Department Warangal District, Warangal.(dismissed for default as per court order dt.02-08-2000)

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents not issuing the tender schedules to the contract works to the petitioners as illegal, arbitrary and un-reasonable for a consequently direction direct the respondents to issue Tender Schedules to the petitioner herein without insisting for production of Commercial Tax clearance certificate and also experience certificate.

Counsel for the Petitioner: MR. C. H. SATISH KUMAR (NOT PRESENT)

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

ORDER: -

This writ petition is filed seeking *mandamus* declaring the action of the respondents in not issuing the tender schedules to the contract works to the petitioner, as illegal, arbitrary and un-reasonable and consequently direct the respondents to issue tender schedules to the petitioner without insisting for production of commercial tax clearance certificate and also experience certificate.

2. This Court on 19-08-1997 while admitting the writ petition, passed interim order in W.P.M.P.No.23769 of 1997 directing the respondents to issue tender schedules to the petitioner without insisting on production of commercial tax clearance certificate, earnest money deposit and experience certificate.

3. When the matter is called, none appears for the petitioner and no representation is made on behalf of the petitioner.

4. Learned Government Pleader for Panchayat Raj and Rural Development submits that the relief sought for in the writ petition has become infructuous.

5. Accordingly, the writ petition is dismissed as infructuous. No costs.

N. V. RAMANA, J

Dt.04-04-2005

Glv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. The Superintending Engineer, Irrigation and Command Area Development, Warangal.
2. The Chief Executive Engineer Public Health Department, Hyderabad.

3. The Superintending Engineer Panchayat Raj Department Khammam District.

4. The Superintending Engineer R&B., Department Warangal District, Warangal.

5. Two CCs to the Government Pleader for Panchyat Raj &Rural Development, HighCourt buildings, Hyderabad. (OUT)

Two C.D. copies.

*Form-NIC-OGS/WP{**MN**}*